

President Using Fear to Strip Civil Liberties

Monday, 27 January 2003

Washington - Rep. Jerrold Nadler (D-NY), the Ranking Democrat on the Constitution Subcommittee, delivered the following statement today on the "State of Civil Liberties" at the Progressive Caucus State of the Union event:

When speaking about the State of the Union, and where President Bush wants to take this country, there is one phrase that comes to mind - "The era of Big Government is Back."

I am not speaking of a government that does worthwhile things - such as provide medical coverage to the uninsured, spend money on schools, or give a hand to those caught in the record wave of unemployment. No, far be it from the Bush Administration to do that. What I am speaking about is the Administration seeking to install a Big Brother government that intrudes into the most personal aspects of our lives and robs people of their Civil Liberties.

The Bush Administration has used a palpable sense of fear after September 11th to ram through a long intelligence-community wish list of programs and changes in the law that were proposed before most Americans had even heard of the name Osama bin-Laden. Before September 11th, we had the sense to realize that these proposals amounted to an all-out assault on our civil liberties, and quickly shelved the policy changes.

After September 11, there was a great sense of fear in this country. Fear for our safety. Fear for the lives of our loved ones. Fear of the people around us.

Instead of calming these fears, the Administration chose to capitalize on them, and try to push an extreme agenda. Perhaps since his Presidency, at no other time have President Roosevelt's words rang more true - "The only thing we have to fear is fear itself."

Neighbors spying on neighbors... Cameras hovering over public places, watching your every move... A huge database which contains information on what movies you rent, the reasons you have visited your doctor, information on what charitable causes or political causes you have given to, and what sites you have visited on the Internet... Government agents entering and searching your home without a warrant... A President who claims the right to label any American citizen an "enemy combatant" and that anyone so labeled can be thrown in jail forever, with no right to a lawyer, no right to a trial, no right to any due process, no right even to seek a writ of habeas corpus, and that no court has jurisdiction to examine the President's claim. No one in an Anglo-American jurisdiction has had the nerve to claim such tyrannical power since before the Magna Carta.

Welcome to John Ashcroft's America. Those are just some of the Administration's attempts to strip us of our Civil Liberties - sometimes with success, sometimes not. We were able to end the notion of an Operation TIPS program, which encouraged Americans to spy on each other. But we still have not killed the Total Information Awareness program - a super-database run by the Pentagon, which would contain every bit of information attainable about every American. And unfortunately, Congress was duped into passing a version of the Patriot Act that was brought up for a vote without giving Members a chance even to read what was in it.

Clearly, we have our work cut out for us. I am working on two bills, which I believe are needed now more than ever. First, I will reintroduce a bill I co-sponsored with former Rep. Bob Barr last session. It is a very simple piece of legislation, which requires that a Privacy Impact Statement be drawn up for every new program or government rule proposed, so that we know how the government might intentionally or unintentionally be intruding on our Fourth Amendment privacy

rights.

Second, I will be introducing legislation on the House side, similar to what Senator Feingold introduced on the Senate side. It would place a moratorium on the implementation of Total Information Awareness program.

But beyond my efforts, and those of my colleagues, the American people must be vigilant and vocal. Only if they speak out and urge their representatives to stop these intrusions into our Civil Liberties before they start will we be able to send the message to the Administration that we will not sacrifice our Constitution in the name of fear.

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